

**R. David House, Barrister & Solicitor  
(of the Bars of Ontario and British Columbia)**

Partner, Stewart House LLP

Phone: (905) 688-4650 Email: [dhouse@stewarthouselaw.com](mailto:dhouse@stewarthouselaw.com)

**EDUCATION**

---

**Called to the British Columbia Bar** **1999**

**Called to the Ontario Bar** **1995**

**Osgoode Hall Law School, York University (LL.B./M.E.S.)** **1993**

- Recipient of: (1) the J.S.D. Tory Award for Legal Research and Writing; (2) Blaney McMurtry Stapells Prize in Environmental Law; (3) Macaulay Award in Land Use Planning
- Founder, Environmental Law Club; Member: International Law Club and Phi Delta Phi
- Joint Bachelor of Laws, Master in Environmental Studies program

**University of Western Ontario (B.A.)** **1989**

- Dean's Honour List

**SKILLS**

---

- Prosecuted various complex commercial litigation matters in the Ontario Superior Court of Justice, Ontario Court of Appeal, as well as Toronto's Commercial List.
- Skilled in analyzing, organizing, prosecuting or defending large commercial litigation matters.
- Prosecuted and defended a wide variety of commercial litigation matters including lease disputes, franchise disputes, insolvency, class actions, fiduciary duty claims, technology implementation disputes, defamation, environmental contamination claims, environmental prosecution defence, shareholder disputes, injunctions and employment matters, including executive compensation and stock option vesting.
- Aboriginal law experience includes treaty breach claims, specific claims and claims in Ontario Superior Court.
- Seconded to Royal Bank of Canada law department and managed litigation for all western provinces gaining valuable insight into banking systems, financial services litigation and risk allocation.
- Experienced managing client expectations, risk and cost
- Highly proficient in use of document management programs, particularly Summation, from discovery phase, through trial to closing submissions.
- Wide-ranging experience in commercial and public law disputes including class actions, aboriginal treaty claims, franchise litigation, executive compensation, fiduciary duty claims and insolvency.
- Experienced in mediation, arbitration and appellate matters.
- Experienced in personal legal services, including real estate matters (purchases, sales and refinancing), wills and estates and corporate/commercial

## **PROFESSIONAL EXPERIENCE**

---

- Stewart House LLP *Partner*** **2014-Present**
- Practice includes general commercial litigation, employment advice and disputes, personal legal services (residential real estate, wills and estate administration, corporate/commercial), advocacy, corporate, financial services and commercial matters
- House Law Office *Principal*** **2009-2014**  
**Maurice Law *Counsel*** **2009-2014**
- Sole practitioner practicing in the areas of general commercial litigation, personal legal services (residential real estate, wills and estate administration, corporate/commercial), advocacy, corporate, financial services and commercial matters
  - Counsel to aboriginal law boutique based in Calgary Alberta, practicing in the area of aboriginal treaty claims, specific claim submissions and aboriginal consultation, economic development and joint ventures
- Bates Barristers *Senior Counsel*** **2006-2009**
- Managed complex commercial litigation matters, franchise disputes, executive compensation claims (stock option vesting claims), including class actions, commercial real estate disputes, technology implementation and development disputes, defamation, fiduciary duty claims, shareholder disputes, professional liability (lawyers and accountants) and aboriginal matters
  - Wide use of document management technology on all large files
  - Developed plaintiff-side class actions, including discovering causes of action, identifying plaintiffs, certification analysis, certification (motion) records. □ Developed case plans and budgets on all cases in order to manage client expectations
- Evangelista, Barristers & Solicitors *Counsel*** **2002-2006**
- Managed and prosecuted massive insurance/re-insurance arbitration relating to residual value of leased vehicles
  - Active plaintiff personal injury and insurance defence practice
- Bull, Housser & Tupper *Associate*** **1999-2002**
- Associate in litigation department of large well-respected Vancouver-based law firm
  - Involved in large forestry interest disputes, lease disputes, professional liability and banking litigation, including representative actions (class actions)
  - Embarked on 4 month secondment to RBC in-house counsel position, directly responsible for managing litigation for western provinces (Manitoba to British Columbia)
  - Worked closely with two current judges of the British Columbia Supreme Court, Madam Justice Victoria Gray and Mr. Justice Elliott Myers
- Davies, Ward & Beck (now Davies Ward Phillips Vineberg) *Contractor*** **1998-1999**
- Contract position in environmental solicitor practice
- Indian Claims Commission *Associate Commission Counsel*** **1997-1998**
- Associate commission counsel of federal inquiry in various highly complex treaty breach claims by first nations against the federal government
  - Worked closely with Commission Counsel (Ron Maurice) and Chief Commissioner at the time (Jim Prentice, Q.C., P.C., MP and current federal Minister of the Environment)

- Directly responsible for analysis and advice to commissioners on various published decisions of the ICC

**Fraser & Beatty (now Fraser Milner Casgrain)**

**1993-1997**

- Articled, hired-back and practiced in the environmental law group, focusing on environmental litigation (toxic torts), environmental prosecution defence
- Practice included both litigation and solicitor-side advice on commercial transactions

**MEMBERSHIPS**

---

Advocate's Society, Ontario Bar Association, Canadian Bar Association, Lincoln County Law Association. (Director)

**NOTABLE REPORTED CASES**

---

*Niagara Fruit v. Juras Brothers Farms*, 2015 ONSC 6696 • successful costs argument after partial summary judgment

*Niagara Fruit v. Juras Brothers Farms* (unreported, September 25, 2015) • successful motion for summary judgment

*Carter v. 1657593 Ontario Inc.*, 2014 ONSC 6761 (CanLII) • wrongful dismissal trial

*Travel Guild Inc. v. Smith, Smith and Worldwide Charters Ltd et al.* (unreported, April 2, 2014) • successful motion for security of costs

*Great-West Life Assurance Co. v. Hartman-Grelowski*, 2014, ONSC 7089 (CanLII) • successful motion for venue change

*Fletcher v. Her Majesty the Queen*, 2012 ONSC 2701 (S.C.J.) • successful motion opposing leave to appeal

*Chief John Fletcher v. Canada (Atty.-Gen)*, 2012 ONSC 2186 (S.C.J.)

*Chief John Fletcher v. Canada (Atty.-Gen)*, 2012 ONSC 1841 (S.C.J.). 2012 CarswellOnt 3257 • successful costs submissions

*Chief John Fletcher v. Canada (Atty.-Gen)*, 2011 ONSC 5196, 2011 CarswellOnt 15345 (S.C.J.) • successful motion for advance costs

*Cummings v. Solutia SDO Ltd.*, [2008] O.J. No. 4427 (S.C.J.)

*Cummings v. Solutia SDO Ltd.*, 2008 CanLII 42599 (ONSC) aff'd 59 B.L.R. (4<sup>th</sup>) 23 • successful application to have share valuation enforced

*Cummings v. Solutia SDO Ltd.*, 49 B.L.R. (4<sup>th</sup>) 307, 2008 CanLII 42017 (ONSC), aff'd 59 B.L.R. (4<sup>th</sup>) 23, 2009 ONCA 510 (CanLII) • successful opposition to application attempting to characterize business valuator as arbitrator

*Puhl v. Katz Group Canada Ltd. et al.* (2008), 63 C.C.E.L (3d) 71, 64 C.C.P.B. 163, 163 A.C.W.S. (3d) 75, [2008] O.J. No. 66, 2008 CanLII 433 (S.C.J.) • successful trial for wrongful dismissal and stock option vesting

*E.S.G. Bolton Ltd. v. Bank of Nova Scotia*, 2007 CarswellOnt 4384 (S.C.J.) • successful motion

for security for costs

**1482111 Ontario Inc. v. 2029861 Ontario Limited** (2006), 153 A.C.W.S. (3d) 445, [2006] O.J. No. 4768, 2006 CarswellOnt 7574 (S.C.J.) • injunction motion

**Canada Post Corp. v. Key Mail Canada Inc.** (2005), 77 O.R. (3d) 294, 259 D.L.R.(4th) 309, 202 O.A.C.158, 141 A.C.W.S.(3d) 70, [2005] O.J. No. 3653, 2005 CarswellOnt 3980 (C.A.) • appeal concerning Canada Post's letter mail monopoly

**Canada Post Corp. v. Key Mail Canada Inc.** (2005), 196 O.A.C. 195, [2005] O.J. No 1299, 2005 CarswellOnt 1269 (C.A.) • successful motion to obtain intervenor status

**Gold River Chinook Project Society v. Bowater Pulp & Paper Canada Inc.**, 2002 CarswellBC 300, 2002 BCSC 166, [2002] B.C.W.L.D. 419, [2002] B.C.J. No. 260 (B.C.S.C.) • successful motion for security for costs

**Turnbull v. Juniper Networks Inc.**, [2002] B.C.J. No. 2578 (2002) CarswellBC 2747, 2002 BCSC 1553 (B.C.S.C.) • successful wrongful dismissal summary trial

**H.Y. Louie Co. v. Whistler Noodle House Ltd.**, [2002] B.C.J. No. 1748, (2002) CarswellBC 1939; 2002 BCSC 1120 (B.C.S.C.) • lease dispute

**B.C. Gas v. Alpha Manufacturing Inc.**, [2000] B.C.J. No. 2741 (B.C.S.C.) • environmental contamination dispute

**Iacobucci v. WIC Radio Ltd.** 1999 CarswellBC 2822 1999 BCCA 753, 47 C.C.E.L. (2d) 163, 23 C.C.P.B. 28, 72 B.C.L.R. (3d) 234, 2 B.L.R. (3d) 51, 131 B.C.A.C. 252, 214 W.A.C. 252 (B.C.C.A.) • successful appeal concerning stock option vesting of dismissed employee

**Ontario Jockey Club v. Canada (Attorney General)**, 1998 CarswellNat 263; 153 F.T.R. 120, [1998] F.C.J. No. 154 (F.C.T.D.) • application in Federal Court concerning online wagering legality

**Almel Inc. v. Sunoco Inc.** (1997), CarswellOnt 3777 38 O.T.C. 139, 38 O.T.C. 139 (Ont. Ct. (Gen. Div.))

**R. v. Imperial Oil Ltd.** (1996) CarswellOnt 2651 (Ont. Prov. Ct.) • successful defence to quasi-criminal environmental charges

**Mullin v. 897634 Ontario Inc.**, 1996 CarswellOnt 4752, 11 P.P.S.A.C. (2d) 120, 27 O.R. (3d) 145, 95 O.A.C. 292 (Ont. Ct. (Gen. Div.)) • repair and storage lien act matters

## **PUBLICATIONS**

---

Published in various trade and legal publications, including articles reviewing share valuation issues, aboriginal consultation, employment law, environmental prosecution defence, environmental assessment, environmental disclosure in securities transactions and conservation easements.

“When will a Chartered Business Valuator be considered an Arbitrator”, with J. Childs, *The Business Valuator*, Volume 34, Issue 1, March 2009 at 15.

“Canadian Franchise Disputes”, with P. Bates and J. Childs, *Ontario Bar Association “Franchising 101”*, (Toronto: Joint Subcommittee on Franchising Ontario Bar Association), October 2006 and updated December 2008.

“Employment Law Conference – 2002: Dismissal Planning”, with G. Allison and K. Child, The Continuing Legal Education Society of British Columbia, 2002.

“Environmental Risk and Securities Disclosure”, with G. Taylor. for *Environmental Deal-Breakers in Real Estate and Business Transactions* conference (Toronto: Federated Press. Toronto, Nov. 26, 1998).

"Aboriginal Claims and the Forestry Industry: Claims Processes and Recent Developments in the Courts", *The Forestry Chronicle*. May/June Volume, 1998.

"Building Bridges: Reflections on Fostering Awareness and Support for the Resolution of Claims", with R. Augustine and D. Kelly for *The National Claims Workshop*, Halifax, Nova Scotia, October 4, 1997.

"Native land and the Environment: How Aboriginal Claims Impact on Environmental Issues”, with P. D. Hunter, in *Changing Environments: A Practical Guide to Recent Developments*" (Toronto: 1996 Annual Conference of Continuing Legal Education, Canadian Bar Association - Ontario, 1996).

"Discussion Paper on Responsible Environmental Protection", co-author, October 15, 1996, (Toronto: Canadian Bar Association, 1996). Authored portions of paper discussing Environmental Bill of Rights, Niagara Escarpment and Environmental Performance Agreements.

"Alberta Court uses ISO Standards in Sentencing for Environmental Offence", *Canadian Corporate Counsel*, July/August 1996. Volume 5 at 124.

"Bata's Back: Prohibition Against Indemnification of Directors Given Rough Ride in Court of Appeal: *Canadian Corporate Counsel*, Sept/Oct 1995, Volume 5 at 5.

"Oldman River, Case Comment", with R. King *Canadian Corporate Counsel*, March 1992, Volume 1 at 75.

*Environment on Trial: a Guide to Ontario Environmental Law and Policy*. ed. by D. Estrin and J. Swaigen, 3rd ed., co-author of "Water" Chapter, (Toronto: Emond Montgomery, 1993).

*Environmental Approvals in Canada: Practice and Procedure*, by M. L. Jeffrey, updated various portions of loose-leaf publication (Toronto: Butterworth" 1989).